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October 23, 2023

BY ECF

Honorable Ramon E. Reyes, Jr.
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Nathaniel Watt v. the City of New York, et al.,
22-CV-06841 (AMD) (RER)

Your Honor:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney representing defendants City of New York ("City"), Gourlay, Redhead, and Molina in the above-referenced matter (hereinafter "defendants"). On behalf of the parties, defendants write to respectfully request a ninety (90) day enlargement of time, from October 25, 2023 to January 24, 2024, to complete fact discovery¹. Separately, plaintiff requests, on consent, for a corresponding extension, until January 24, 2023, to further amend the complaint. Furthermore, in light of this application, the parties request an adjournment of the status conference currently scheduled for November 1, 2023 at 10:00 a.m., to a time convenient for the Court. This is the first request for an extension of fact discovery.

By way of background, plaintiff filed the complaint in this action on November 8, 2022. (*See generally* ECF No. 1). Plaintiff alleges that he was subjected to, amongst other things, false arrest and excessive force after engaging in an altercation with defendant Blackett in the basement of a multi-family dwelling where defendant Blackett discharged his firearm at the plaintiff causing plaintiff to injure his eye. *Id.* The complaint further alleges that the defendants conspired together to falsely arrest the plaintiff in an effort to protect defendant Blackett, an off-

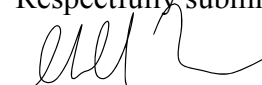
¹ The proposed enlargement of time factors in the parties' respective holiday schedules.

duty correction officer, and, upon information and belief, the landlord of record for the subject location.

Under the current case management plan, the deadline to complete fact discovery is October 25, 2023. (*See* ECF No. 18). In accordance with the discovery deadline, to date, the parties have exchanged initial disclosures with documents from the New York City Police Department, body camera footage of the responding officers, and documents related to the Department of Correction (hereinafter “DOC”) investigation related to defendant Blackett’s off-duty firearm discharge. At this juncture, the parties require additional time to finalize discovery responses, gather additional documents, and schedule depositions. Moreover, the additional time will allow the parties to meaningfully explore settlement once the parties have engaged in further discovery.

Accordingly, the parties respectfully request a ninety (90) day enlargement of time, from October 25, 2023 to January 24, 2024, to complete fact discovery with a corresponding extension for the plaintiff until January 24, 2024 to further amend the Complaint. Furthermore, in light of this request, the parties request an adjournment of the status conference currently scheduled for November 1, 2023 at 10:00 a.m. to a time convenient for the Court but after expiration of the proposed discovery deadline on January 24, 2024.

The parties thank the Court for its consideration of this request.

Respectfully submitted,
By: 
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Senior Counsel
Special Federal Litigation Division

cc: **By ECF**
All counsel of record